

Excerpts  
Planning Commission Minutes  
August 9, 2000

**Application No. UP-560-00, Ferguson Enterprises, Inc.:** Request for a special use permit, pursuant to Section 24.1-306 (category 14, number 3) of the York County Zoning Ordinance, to authorize the establishment of a wholesale trade establishment with outdoor storage.

Mr. Adam Kinsman, following a brief video presentation, presented the staff summary of his memorandum to the Commission dated July 31, 2000. Mr. Kinsman noted the staff recommendation of approval subject to the conditions of proposed Resolution PC00-19.

Vice Chair Simasek opened the public hearing.

**Mr. Richard Costello**, AES Consulting Engineers, spoke for the applicant and introduced Messrs. Don Swain of Ferguson Enterprises and Richard Wilkinson, property owner and developer. Mr. Costello said the applicant prefers using black vinyl coated chain link fencing in place of the wrought iron fencing proposed as a condition because wrought iron fencing can be penetrated by pipes loaded onto trucks as they back up toward the fence and there is no wrought iron fencing on the market whose posts are close enough to prevent the pipes from falling through or damaging the fence. He added that the applicant proposes to install landscaping that would ultimately obscure the chain link fence.

Mr. Costello spoke further of the recommended Type 25 transitional buffer and asked for flexibility in the height of buffers on the various sides of the property and near the gate to the building.

**Mr. James W. Noel** spoke in behalf of approval. He said both the applicant and property owner are committed to first-class development of the site.

Mr. Kinsman pointed out that staff was unaware of the applicant's desire to change any buffer heights and would need to consider the request, adding that the aesthetics of this site at the entrance to the future business park are of particular interest to the County. Mr. Baldwin added that the use permit deals with outdoor storage and the staff attempts to mitigate possible negative visual impacts with fencing and landscaping. He said the staff recommends the same high quality type of fencing for all projects of this type. He said the staff cannot make a recommendation for staggering the height of buffers, as requested, in the absence of any plans. He added that the key to visual acceptance would be the landscaping, considered during the site plan approval phase.

Mr. Kinsman added that the wrought iron fencing or, alternatively, brick masonry, is still recommended for the parking area.

Mr. Simasek noted he is not prepared to vote for any revisions not known to the staff in advance. Mr. Swain said the applicant can install a wrought iron fence but he believed that landscaping in front of chain link fencing would obtain a more desirable result. Mr. Simasek said the Commission is obliged to ensure high quality. Mr. Swain requested a recommendation by the Commission to allow the applicant and staff time to work out a compromise, if feasible, before the application goes before the Board.

Mr. Shepperd moved the adoption of Resolution PC00-19 to recommend approval. It is:

PC00-19

On motion of Mt. Shepperd, which carried 5:0 (Semmes and White absent), the following resolution was adopted:

**A RESOLUTION TO RECOMMEND APPROVAL OF A SPECIAL USE  
PERMIT TO AUTHORIZE A WHOLESALE TRADE ESTABLISHMENT WITH  
OUTDOOR STORAGE ALONG MOORETOWN ROAD**

WHEREAS, Ferguson Enterprises, Inc. has submitted Application No. UP-560-00 to request a special use permit, pursuant to Section 24.1-306 (category 14, number 3) of the York County Zoning Ordinance, to authorize establishment of a wholesale trade establishment with outdoor storage to be constructed on property located along the east side of Mooretown Road, approximately 3,000 feet south of the intersection of Mooretown Road and East Rochambeau Drive (Route F137) and further identified as a portion of Assessor's Parcel No. 2-34; and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has given careful consideration to the public comments and staff recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 9th day of August, 2000, that it does hereby transmit Application No. UP-560-00 to the York County Board of Supervisors with a recommendation of approval to issue a special use permit, pursuant to Section 24.1-306 (category 14, number 3) of the York County Zoning Ordinance, to authorize establishment of a wholesale trade establishment with outdoor storage on approximately 10 acres of land along Mooretown Road, approximately 3,000 feet south of the intersection of Mooretown Road and East Rochambeau Drive and further identified as a portion of Assessor's Parcel No. 2-34 subject to the following conditions:

1. This use permit shall authorize establishment of a wholesale trade establishment with outdoor storage on approximately 10 acres of land along Mooretown Road approximately 3,000 feet south of the intersection of Mooretown Road and East Rochambeau Drive and further identified as a portion of Assessor's Parcel No. 2-34.
2. The development shall be constructed and in significant conformance with the conceptual plans titled "Ferguson Enterprises, Inc. Proposed Plan 17,000 S.F.," "Mooretown Road View," and "Clark Road View," all three dated July 26, 2000, with particular emphasis on site layout and the orientation of the storage yard.

3. Use of theft-deterrent fencing (i.e., barbed wire, razor wire, etc.) anywhere on the property shall be prohibited.
4. Fencing adjacent to, and along the entire length of, all parking areas shall be a black, wrought iron type. All other fencing on the property shall be dark green or black vinyl-dipped chain link or masonry type.
5. A Type-25 buffer shall be maintained along the outside of the entire length of the fencing enclosing the storage yard. No fencing shall be placed outside of this buffer.
6. Outdoor lighting shall be full cutoff luminaires or a decorative luminaire with full cutoff optics. All lighting shall be directed downward and shall not spill over onto adjacent properties or public rights-of-way. All lighting except low-level security lighting shall be extinguished between the hours of 11:00 PM and dawn. In addition, the applicant shall submit a photometric plan indicating all outdoor lighting on the site. This plan shall be approved by the Planning Division prior to the installation of any lighting on the site.
7. The applicant shall be responsible for compliance with the regulations in Section 24.1-115(b)(6) of the Zoning Ordinance that pertain to the recordation of this resolution in the office of the Clerk of the Circuit Court.

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